



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

JUN 13 2008

Mr. Michael Rizzo
Mainstream Engineering Corporation
200 Yellow Place
Rockledge, FL 32955

Ref. No.: 08-0116

Dear Mr. Rizzo:

This is in response to your April 18, 2008 letter regarding classification of a Division 2.2 aerosol product as Consumer Commodity, ORM-D and the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

A consumer commodity, defined in § 171.8, is a material that is packaged and distributed in a form intended or suitable for sale through retail sales agencies or instrumentalities for consumption by individuals for purposes of personal care or household use. This definition includes materials that are suitable for retail sale even if not specifically so intended and which may, in fact, be used in some other fashion.

The example you provided, "Qwik System Flush" is used by field technicians in the repair and maintenance of refrigeration equipment. Though you do not sell this product through retail outlets to the general public, it may have household applications. If so, it meets the definition of a consumer commodity.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



Pollack
§173.306
Proper Shipping Name
08-0116

April 18, 2008

Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue
SE Building, 2nd Floor
Washington, DC 20590

Dear Mr. Mazzullo:

I am writing to request written DOT confirmation that we are correct in shipping the following item via domestic ground transport as a "Consumer Commodity, ORM-D". The item is an aerosol packed cleaner named "Qwik System Flush", and is intended for use by field service technicians in the repair and maintenance of refrigeration equipment.

"Qwik System Flush" is an Aerosol, Class 2.2, UN1950 under the Hazardous Materials Regulation (49 CFR Parts 171-180), with the following technical details:

1. Packaging: Metal can, filled in compliance with all conditions listed in 173.306(a)(3) and packaged and sealed in outside packaging consisting of a 200# test corrugated fiberboard carton.
2. Propellant: Non flammable liquid propellant.
3. Active Ingredient: The active ingredient is a non flammable cleaning solvent, that when not packaged in an aerosol can, is classified as a non hazardous, non regulated, liquid cleaning compound.

Although we are confident that the "Qwik System Flush" package meets the definition of Consumer Commodity ORM-D as defined in 171.8 and provided in 173.306(a)(3) and 173.306(h), it will be distributed and sold for consumption by individuals trained as professional refrigeration service technicians. This distinction has our shipping people requesting written D.O.T. confirmation that the "Qwik System Flush" qualifies for shipment as a "Consumer Commodity, ORM-D".

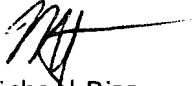
Please respond to my attention either by e-mail at mar@mainstream-engr.com or via postal service letter at:

Michael Rizzo
Mainstream Engineering Corporation
200 Yellow Place
Rockledge, FL 32955

If you should have any questions regarding this, please e-mail me at the above address, or telephone me directly by dialing toll free 1(800) 631-3550.

Thank you for assistance.

Sincerely,

A handwritten signature in black ink, appearing to be 'MR' with a long horizontal stroke extending to the right.

Michael Rizzo
Finance Director
Mainstream Engineering Corporation